

APPROVED and SO ORDERED.
ENTER: 713; 14237

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON, INC. PELVIC SUPPORT
SYSTEM PRODUCTS LIABILITY LITIGATION

MDL No. 2327
Honorable Joseph R. Goodwin

DONNA BENEKE,
Plaintiff,

v.

ETHICON INC., ET AL.,
Defendant.

§
§
§
§
§
§
§

CASE NO. 2:14-cv-11891

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2327, In re: Ethicon, Inc. Pelvic Support System Products Liability Litigation, to:

MDL 2187 C. R. Bard, Inc. Pelvic Repair System Products Liability Litigation

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2327 against Ethicon, Inc. and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Ethicon, Inc. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2187:

C. R. Bard, Inc.

Because Ethicon, Inc. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2327 to 2187; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2327 and re-associate it with MDL 2187.

Respectfully submitted,

/s/ J. Steve Mostyn

J. Steve Mostyn

MOSTYN LAW

3810 West Alabama Street

Houston, TX 77027

(713) 714-0000 Telephone

(713) 714-1111 Facsimile

Kurt Arnold

Jason Itkin

Noah Wexler

ARNOLD & ITKIN LLP

6009 Memorial Drive

Houston, TX 77007

(713) 222-3800 Telephone

(713) 222-3850 Facsimile

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ J. Steve Mostyn

J. Steve Mostyn